



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,429	09/16/2003	Christopher M. Glenna	54093US010	4543
32692	7590	07/23/2004	EXAMINER	
3M INNOVATIVE PROPERTIES COMPANY			AHMAD, NASSER	
PO BOX 33427			ART UNIT	
ST. PAUL, MN 55133-3427			PAPER NUMBER	

1772

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/664,429

Applicant(s)

GLENN ET AL.

Examiner

Nasser Ahmad

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/16/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-16, 20-23 and 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dills (4512462) in view of Hammond (2015268).

Dills relates to a tape roll comprising a central tape roll axis, a length of adhesive tape (16) is circumferentially wound about the axis, a tab (10) is adhered to the adhesive surface of the trailing end of the tape and is, in turn, adhered to the penultimate layer of the tape. As shown in figure-3, the tab has the hole as the adhesive section and the non-adhesive section (12), and that the trailing end of the tape is located between the ends of the tab, overlaying both the sections. The adhesive strength can be the same as that of the tape because the adhesive of the tape is used to adhere the tab to the tape penultimate layer. The tab can be of paper (col. 2, lines 18-19) which is known to be opaque or polyethylene (col. 3, lines 23), that is known to be transparent. However, Dills fails to teach that the tab has adhesive section. Hammond discloses adhesive tape tab comprising an adhesive strip (c) with perforations (d), wherein it is understood that the perforations provide for non-adhesive section. Since the strip stays with the tape, upon lifting of the trailing end, the adhesive strength of the tab is greater

than that of the tape. Therefore, it would have been obvious to one having ordinary skill in the art utilize Hammond's teaching of using an adhesive tab strip with adhesive and non-adhesive portions in the invention of Dills with the motivation to provide for releasability of the tab from the tape surface.

3. Claims 17 rejected under 35 U.S.C. 103(a) as being unpatentable over dills in view of Hammond and McLaughlin (6663932).

Dills and Hammond, as discussed above, fails to teach that the tab comprises a deadening layer. McLaughlin discloses an adhesive strip provided with an ink coated layer on the adhesive to deaden the adhesive (abstract). The strips can be used as tabs for adhesive tape fasteners. Therefore, it would have been obvious to one having ordinary skill in the art to utilize McLaughlin's teaching of using adhesive deadening layer over the adhesive coating in the invention of Hammond with the motivation to provide for releasability of the tab.

4. Claims 18-19 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dills in view of Hammond and Rosen (3247956).

Dill and Hammond, as discussed above, fails to teach that the tab is folded over itself to provide the non-adhesive section. Rosen relates to an adhesive tape wherein the free end of the tape can be folded upon itself to provide for the non-adhesive tab portion.

Therefore, it would have been obvious to one having ordinary skill in the art to utilize Rosen's teaching of using of using folded tape portion as the non-adhesive tab portion in the invention of dills with the motivation to facilitate gripping.

With regards to claim 24 and 25, the adhesive strength being less than that of the tape or repositionable pressure sensitive adhesive (PSA). It would have been obvious for the adhesive of Dills to exhibit said characteristics because the adhesive present in the hole of the tab is limitedly exposed for less strength and repositionability.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1772

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nasser Ahmad
Primary Examiner
Art Unit 1772

N. Ahmad.
July 22, 2004.